

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Broadband Industry Practices)	WC Docket No. 07-52
)	

**REPLY COMMENTS OF THE COMPUTING TECHNOLOGY INDUSTRY
ASSOCIATION**

The Computing Technology Industry Association (CompTIA) is the largest computer industry trade association in the United States. We represent the business interests of virtually every segment of the information technology (IT) industry. And while CompTIA represents nearly every major IT hardware, software or services company, it distinctly represents the nation's tens-of-thousands of so-called Value-Added Resellers, or VARs. These small system integrators – typically having about six employees per establishment – set up and maintain computer systems and networks for America's small businesses.

CompTIA's members are concerned that the comments filed in this docket go beyond the Commission's call for information on broadband practices and specifically advocate for a new regulatory regime called "net neutrality." These comments fail to adequately and accurately represent the interests of small businesses utilizing broadband, and thus CompTIA is compelled to submit the following reply comments.

VARs are the IT departments of America's small businesses, and without them, the majority of U.S. small businesses today could not function. An estimated 32,000 American VARs computer-enable millions of American small businesses today, selling some \$43 billion dollars worth of computer hardware, software and services; mostly to America's small businesses. These small businesses heavily utilize broadband to increase office productivity and mobility, conduct marketing and advertising, provide services on-line, facilitate customer service and reach potential customers via the world wide web. This has all been made possible by the light regulatory touch of governments with regard to Internet access and content.

Additionally, CompTIA has found that –given the way small businesses actually use broadband—the primary concerns over it among small businesses are: (1) broadband penetration and adoption; (2) broadband affordability and rates; and (3) the maintenance of an open market for Internet access services. New government regulations on Internet access services would almost certainly discourage creativity, innovation, entrepreneurship, and investment and in so doing reduce the availability of the kind of ubiquitous, high-speed low cost Internet access services that American small businesses need. New regulations on Internet access or content should only be considered as a last resort to correct demonstrable problems that cannot be solved through non-regulatory means.

CompTIA has consistently advocated a two part test for all proposed Internet regulations, whether they apply to access services, search services, or content services: first, has it been demonstrated that a serious problem exists?; and second, if a demonstrable serious problem has been shown to exist, then have all efforts to address that problem through the private sector failed? These tests represent the interests of small business, who uniformly want to preserve the Internet as an open space for creativity, innovation and new investments.

To date, within this expansive docket, there have been no facts provided showing actual harm caused or problems recorded. Moreover, no filing has shown that the current regulatory structure in the United States would not effectively address such problems if they were to arise. Further, if such problems were to arise, no effort has been made and evaluated to address them through the normal private sector, non-regulatory tools of best practices, consumer education, and technology.

CompTIA encourages the Commission to consider the lack demonstrable harms, the lack of evaluation of existing legal remedies, and the lack of attempted non-governmental remedies when considering how to proceed in this docket. We ask the Commission to employ the type of two-part methodology described above when considering expanding regulation of any aspect of the Internet.

While CompTIA respects the concerns of those who have advocated in this docket for the immediate regulation of Internet access services in the U. S. in anticipation that a problem might emerge – which could not then be successfully addressed through the private sector tools that described above – CompTIA can not conclude that the time has come for wholesale government regulation of Internet access services in the U.S.

Respectfully submitted,

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